

AMENDED IN ASSEMBLY MARCH 27, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2687

Introduced by Assembly Member Bocanegra

February 21, 2014

An act to amend Section 1808.4 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 2687, as amended, Bocanegra. Vehicles: confidential home address.

Existing law makes confidential, upon request, the home addresses of specified governmental officials, peace officers, state employees, and certain other persons that appear in the records of the Department of Motor Vehicles. Existing law prohibits the disclosure of the confidential home addresses described above, except as specified. Existing law requires that a record of the department containing a confidential home address be open to public inspection, as specified, if the address is completely obliterated or otherwise removed from the record.

This bill would include a state employee classified as a ~~Licensed~~ *Licensing* Program Analyst *with the Department of Social Services* in the provisions described above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1808.4 of the Vehicle Code is amended
2 to read:

3 1808.4. (a) For all of the following persons, his or her home
4 address that appears in a record of the department is confidential
5 if the person requests the confidentiality of that information:

6 (1) Attorney General.

7 (2) State Public Defender.

8 (3) A Member of the Legislature.

9 (4) A judge or court commissioner.

10 (5) A district attorney.

11 (6) A public defender.

12 (7) An attorney employed by the Department of Justice, the
13 office of the State Public Defender, or a county office of the district
14 attorney or public defender.

15 (8) A city attorney and an attorney who submits verification
16 from his or her public employer that the attorney represents the
17 city in matters that routinely place the attorney in personal contact
18 with persons under investigation for, charged with, or convicted
19 of, committing criminal acts, if that attorney is employed by a city
20 attorney.

21 (9) A nonsworn police dispatcher.

22 (10) A child abuse investigator or social worker, working in
23 child protective services within a social services department.

24 (11) An active or retired peace officer, as defined in Chapter
25 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal
26 Code.

27 (12) An employee of the Department of Corrections and
28 Rehabilitation, Division of Juvenile Facilities, or the Prison
29 Industry Authority specified in Sections 20403 and 20405 of the
30 Government Code.

31 (13) A nonsworn employee of a city police department, a county
32 sheriff's office, the Department of the California Highway Patrol,
33 a federal, state, or local detention facility, or a local juvenile hall,
34 camp, ranch, or home, who submits agency verification that, in
35 the normal course of his or her employment, he or she controls or
36 supervises inmates or is required to have a prisoner in his or her
37 care or custody.

38 (14) A county counsel assigned to child abuse cases.

1 (15) An investigator employed by the Department of Justice, a
2 county district attorney, or a county public defender.

3 (16) A member of a city council.

4 (17) A member of a board of supervisors.

5 (18) A federal prosecutor, criminal investigator, or National
6 Park Service Ranger working in this state.

7 (19) An active or retired city enforcement officer engaged in
8 the enforcement of the Vehicle Code or municipal parking
9 ordinances.

10 (20) An employee of a trial court.

11 (21) A psychiatric social worker employed by a county.

12 (22) A police or sheriff department employee designated by the
13 Chief of Police of the department or the sheriff of the county as
14 being in a sensitive position. A designation pursuant to this
15 paragraph shall, for purposes of this section, remain in effect for
16 three years subject to additional designations that, for purposes of
17 this section, shall remain in effect for additional three-year periods.

18 (23) A state employee in one of the following classifications:

19 (A) Licensing Registration Examiner, Department of Motor
20 Vehicles.

21 (B) Motor Carrier Specialist 1, Department of the California
22 Highway Patrol.

23 (C) Museum Security Officer and Supervising Museum Security
24 Officer.

25 (D) ~~Licensed~~ *Licensing Program Analyst Analyst, Department*
26 *of Social Services.*

27 (24) (A) The spouse or child of a person listed in paragraphs
28 (1) to (23), inclusive, regardless of the spouse's or child's place
29 of residence.

30 (B) The surviving spouse or child of a peace officer, as defined
31 in Chapter 4.5 (commencing with Section 830) of Title 3 of Part
32 2 of the Penal Code, if the peace officer died in the line of duty.

33 (C) (i) Subparagraphs (A) and (B) shall not apply if the person
34 listed in those subparagraphs was convicted of a crime and is on
35 active parole or probation.

36 (ii) For requests made on or after January 1, 2011, the person
37 requesting confidentiality for their spouse or child listed in
38 subparagraph (A) or (B) shall declare, at the time of the request
39 for confidentiality, whether the spouse or child has been convicted
40 of a crime and is on active parole or probation.

1 (iii) Neither the listed person's employer nor the department
2 shall be required to verify, or be responsible for verifying, that a
3 person listed in subparagraph (A) or (B) was convicted of a crime
4 and is on active parole or probation.

5 (b) The confidential home address of a person listed in
6 subdivision (a) shall not be disclosed, except to any of the
7 following:

8 (1) A court.

9 (2) A law enforcement agency.

10 (3) The State Board of Equalization.

11 (4) An attorney in a civil or criminal action that demonstrates
12 to a court the need for the home address, if the disclosure is made
13 pursuant to a subpoena.

14 (5) A governmental agency to which, under any provision of
15 law, information is required to be furnished from records
16 maintained by the department.

17 (c) (1) A record of the department containing a confidential
18 home address shall be open to public inspection, as provided in
19 Section 1808, if the address is completely obliterated or otherwise
20 removed from the record.

21 (2) Following termination of office or employment, a
22 confidential home address shall be withheld from public inspection
23 for three years, unless the termination is the result of conviction
24 of a criminal offense. If the termination or separation is the result
25 of the filing of a criminal complaint, a confidential home address
26 shall be withheld from public inspection during the time in which
27 the terminated individual may file an appeal from termination,
28 while an appeal from termination is ongoing, and until the appeal
29 process is exhausted, after which confidentiality shall be at the
30 discretion of the employing agency if the termination or separation
31 is upheld. Upon reinstatement to an office or employment, the
32 protections of this section are available.

33 (3) With respect to a retired peace officer, his or her home
34 address shall be withheld from public inspection permanently upon
35 request of confidentiality at the time the information would
36 otherwise be opened. The home address of the surviving spouse
37 or child listed in subparagraph (B) of paragraph (24) of subdivision
38 (a) shall be withheld from public inspection for three years
39 following the death of the peace officer.

1 (4) The department shall inform a person who requests a
2 confidential home address what agency the individual whose
3 address was requested is employed by or the court at which the
4 judge or court commissioner presides.

5 (d) A violation of subdivision (a) by the disclosure of the
6 confidential home address of a peace officer, as specified in
7 paragraph (11) of subdivision (a), a nonsworn employee of the
8 city police department or county sheriff's office, or the spouses or
9 children of these persons, including, but not limited to, the
10 surviving spouse or child listed in subparagraph (B) of paragraph
11 (24) of subdivision (a), that results in bodily injury to the peace
12 officer, employee of the city police department or county sheriff's
13 office, or the spouses or children of these persons is a felony.

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